

Summary of Legislation

This bill would prohibit discriminatory practices regarding the right to breastfeed and provide enforcement of the right to breastfeed.

Michigan is one of only five states that does not yet have this protection in the law.ⁱ Currently, 45 states, the District of Columbia, and the Virgin Islands have laws that specifically allow women to breastfeed in any public or private location.

Public Health Impact

- 1. This bill will promote breastfeeding by reducing barriers to breastfeeding in public.**
- 2. Michigan did not meet any of the Healthy People 2010 goals for breastfeeding.ⁱⁱ**
 - The American Academy of Pediatrics recommends exclusive breastfeeding for the first six months of life.ⁱⁱⁱ
 - The new Healthy People 2020 target for breastfeeding at six months is 60.6%.^{iv}
 - In Michigan's WIC program, only 18.4% of mothers are breastfeeding for six months.^v
- 3. Numerous studies have shown the tremendous public health benefits of breastfeeding.^{vi}** Breastfed infants gain the following advantages in life:
 - protection from infection and illness;
 - lower rates of asthma, SIDS, and obesity;
 - and improved emotional and intellectual development.
- 4. Breastfeeding saves lives.** More than 900 infant deaths would be prevented each year if 90% of new mothers in the U.S. breastfed exclusively for six months (Source: Pediatrics, 2010).^{vii}
- 5. Breastfeeding saves money for families and governments.^{viii}**
 - Families can save \$1,200-\$1,500 on formula in the first year of life by choosing to breastfeed.
 - Nationally, if 90% of new mothers in the U.S. breastfed exclusively for six months the U.S. would save \$13 billion per year in medical and other expenses.

Mothers in Washtenaw County Want Protection

"I'm scared to breastfeed in public because of what people think and what comments they would say to me. If there were signs that said it was allowed I would feel better because it lets people know ahead of time."

"My main concern is breastfeeding in public. I am very worried about being told it's 'inappropriate' and being accused of indecent exposure! I really want to breastfeed as it is special for so many reasons – the bonding, the cost savings, and the health benefits for both mother and baby."

"I am very nervous about nursing in public. People stare at you, kids stare at you, men stare at you. I'm scared because of all the people who will stare at me. If I was protected or someplace where it was okay to nurse, I would feel much more comfortable to nurse in public."

Local Laws Protect Breastfeeding in Ann Arbor and Washtenaw County

City of Ann Arbor Ordinance (Title IX Police Regulations, Chapter 112 Non-discrimination, 9:153)

In 2006, the City of Ann Arbor adopted an ordinance that protects a mother's right to breastfeed in public in any public or private location. In Ann Arbor, no person shall discriminate in making available full and equal access to all goods, services, activities, privileges and accommodations of any place of public accommodation. No person shall prohibit a breastfeeding mother from or segregate a breastfeeding mother within any public accommodation where she and the child would otherwise be authorized to be.

Washtenaw County Policy (12-0152)

On October 17, 2012, the Washtenaw County Board of Commissioners passed a policy allowing public breastfeeding in all county buildings and property. Washtenaw County adopted this policy to promote breastfeeding by reducing barriers to breastfeeding in public.

A mother may now breastfeed her baby in any location, public or private, where the mother and her child are otherwise authorized to be. This policy applies to all guests, customers, and employees in County buildings, on County property, and at all County-sponsored meetings, regardless of location.

References:

ⁱ National Conference of State Legislatures, Breastfeeding Laws, Updated August 2011.

<http://www.ncsl.org/research/health/breastfeeding-state-laws.aspx>

ⁱⁱ Centers for Disease Control and Prevention, Breastfeeding Report Card – United States 2010, August, 2010.

<http://www.cdc.gov/breastfeeding/pdf/BreastfeedingReportCard2010.pdf>

ⁱⁱⁱ American Academy of Pediatrics, Policy Statement, (2012). Breastfeeding and the Use of Human Milk. *Pediatrics*, Vol. 129, No.3, e827-e841. <http://pediatrics.aappublications.org/content/129/3/e827.full?sid=b2995ac2-f941-4796-a7de-cefec8fd8af8>

^{iv} Healthy People 2020. <http://www.healthypeople.gov/>

^v Michigan Department of Community Health, Michigan WIC Top Ten Health Indicators.

http://www.michigan.gov/documents/mdch/2010_Top_Ten_381529_7.pdf

^{vi} Office on Women's Health, US Department of Health and Human Services. (2011). Webpage: Why Breastfeeding is Important. <http://www.womenshealth.gov/breastfeeding/why-breastfeeding-is-important/>

^{vii} Bartick, M. and Reinhold, A. (2010). The Burden of Suboptimal Breastfeeding in the United States: A Pediatric Cost Analysis. *Pediatrics*, Vol. 125, No. 5, e1048-1056. <http://pediatrics.aappublications.org/content/125/5/e1048.short>

^{viii} Bartick, M. and Reinhold, A. (2010). The Burden of Suboptimal Breastfeeding in the United States: A Pediatric Cost Analysis. *Pediatrics*, Vol. 125, No. 5, e1048-1056. <http://pediatrics.aappublications.org/content/125/5/e1048.short>